

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VIKTOR GRUNBAUM,

Plaintiff,

v.

DISTRICT DIRECTOR, USCIS
DETROIT,

Case No. 10-10147

Hon. Gerald E. Rosen

Magistrate Judge Mona K. Majzoub

Defendant.

**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on December 7, 2010

PRESENT: Honorable Gerald E. Rosen
Chief Judge, United States District Court

On October 29, 2010, Magistrate Judge Mona K. Majzoub issued a Report and Recommendation (“R & R”) recommending that the Court deny as moot (i) Plaintiff Viktor Grunbaum’s motion for summary judgment, (ii) the Defendant District Director’s motion for judgment on the pleadings, and (iii) Defendant’s motion to dismiss. These recommendations are based upon two recent developments: (i) a decision upholding the denial of Plaintiff’s application for citizenship, and (ii) Plaintiff’s filing of an amended complaint in which he seeks judicial review of this decision. In light of these developments, the Magistrate Judge recommends that Plaintiff be permitted to go forward

with the claims he has asserted in his amended complaint.

Neither party has filed objections to the Magistrate Judge's R & R. Upon reviewing the R & R, the parties' underlying motions, and the record as a whole, the Court fully concurs in the analysis of the Magistrate Judge, and adopts the R & R in its entirety. Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's October 29, 2010 Report and Recommendation is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED that, for the reasons stated in the R & R, the following motions are DENIED AS MOOT: (i) Plaintiff's June 3, 2010 motion for summary judgment (docket #12), (ii) Defendant's May 13, 2010 motion for judgment on the pleadings (docket #10), and (iii) Defendant's July 13, 2010 motion to dismiss (docket #20). The case may now go forward, with the Magistrate Judge continuing to conduct all pretrial proceedings pursuant to an April 5, 2010 order of reference.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: December 7, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 7, 2010, by electronic mail and upon Viktor Grunbaum, 12345 Woodward Avenue, Detroit, MI 48203 by ordinary mail.

s/Ruth A. Gunther
Case Manager